

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

DENT ET AL.

APPLICATION NO: 10/510,531

FILED: MARCH 30, 2005

FOR: COMBINATION OF GLIVEC (STI571) WITH A CYCLIN-
DEPENDENT KINASE INHIBITOR, ESPECIALLY FLAVOPIRIDOL IN
THE TREATMENT OF CANCER

DECLARATION UNDER 37 C.F.R. §1.132

I, Steven Grant, declare as follows:

- (1) I am a Professor of Medicine at Virginia Commonwealth University School of Medicine.
- (2) I am a co-inventor of the above-identified patent application.
- (3) I am a co-author of Yu et al., Blood, Vol. 98(11), 2002:146a, Abstract 615, ("the Blood abstract") which I understand has been cited to reject the claims of the above-identified patent application.
- (4) The Blood abstract names five authors. Dr. Yun Dai is the only author who is not also a co-inventor of the above-identified patent application.
- (5) The Blood abstract describes the work of the inventors of the above-identified patent application: Drs. Dent, Krystal, Yu and myself because Dr. Dai was working under my direction while the experiments described in the Blood abstract were carried out.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date:

4/23/09



Steven Grant